

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

ORDINANCE

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2000:

Present

Vote

Walter C. Zaremba, Chair
James S. Burgett, Vice Chair
Sheila S. Noll
Donald E. Wiggins
Melanie L. Rapp

On motion of _____, which carried ____, the following resolution was adopted:

AN ORDINANCE TO AMEND THE YORK COUNTY CODE, CHAPTER 24.1, ZONING, SECTIONS 24.1-306, 24.1-466, AND 24.1-481, TO REQUIRE SPECIAL USE PERMITS FOR ALL RETAIL USES AND SHOPPING CENTERS WITH 80,000 OR MORE SQUARE FEET OF GROSS FLOOR AREA

WHEREAS, the York County Board of Supervisors has sponsored Application No. ZT-49-00 to amend the York County Zoning Ordinance to require special use permits for all retail uses and shopping centers with 80,000 or more square feet of gross floor area; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has recommended approval of this application; and

WHEREAS, the Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments, Planning Commission recommendation, and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors, this the ____ day of ____, 2000, that it does hereby approve Application No. ZT-49-00 to amend Chapter 24.1, Zoning, of the York County Code, Sections 24.1-306 (Category 10-Commercial/Retail), 24.1-306 (Category 13-Shopping Centers/Business Parks), 24.1-466, and 24.1-481(a) to read and provide as follows:

Sec. 24.1-306. Table of land uses.

USES <small>P=PERMITTED USE S=PERMITTED BY SPECIAL USE PERMIT</small>	RESIDENTIAL DISTRICTS						COMMERCIAL AND INDUSTRIAL DISTRICTS							
	RC	RR	R20	R13	R7	RMF	NB	LB	GB	WC1	EO	IL	IG	
	CATEGORY 10 - COMMERCIAL / RETAIL (1)													
1. Antiques/Reproductions, Art Gallery							P	P	P	P	P			
2. Wearing Apparel Store							P	P	P		P			
3. Appliance Sales									P		P			
4. Auction House								P	P		P			
5. Convenience Store							S	S	P		P	P		
6. Grocery Store							P		P		P			
7. Book, Magazine, Card Shop							P	P	P		P			
8. Camera Shop, One-Hour Photo Service							P	P	P		P	P	P	
9. Florist							P	P	P		P	P	P	
10. Gifts, Souvenirs Shop								P	P		P			
11. Hardware, Paint Store								P	P		P	P	P	
12. Hobby, Craft Shop								P	P		P			
13. Household Furnishings, Furniture									P		P			
14. Jewelry Store								P	P		P			
15. Lumberyard, Building Materials									S		P	P	P	
16. Music, Records, Video Tapes								P	P		P			
17. Drug Store							S	S	P		P			
18. Radio and TV Sales								S	P		P			
19. Sporting Goods Store								P	P		P			
20. Firearms Sales and Service								S	S		S			
21. Tobacco Store								P	P		P			
22. Toy Store								S	P		P			
23. Gourmet Items/Health Foods/Candy/ Specialty Foods/Bakery Shops							P	P	P		P			
24. ABC Store								P	P		P			
25. Bait, Tackle/Marine Supplies Including Incidental Grocery Sales									P	P	P	S	S	
26. Office Equipment & Supplies								P	P		P	P	P	
27. Pet Store							S	P	P		P			
28. Bike Store, Including Rental/Repair							P	P	P		P	P	P	
29. Piece Goods, Sewing Supplies							P	P	P		P			
30. Optical Goods, Health Aids or Appliances								P	P		P	P	P	
31. Fish, Seafood Store									P	P	P			

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	RC	RR	R20	R13	R7	RMF	NB	LB	GB	WC1	EO	IL	IG
	CATEGORY 10 - COMMERCIAL / RETAIL ⁽¹⁾												
32. Department, Variety, Discount Store									P		P		
33. Auto Parts, Accessories (new parts)								P	P		P		
34. Second Hand, Used Merchandise Retailers (household items, etc.) a) without outside display/storage								P	P			P	
b) with outside display/storage								S	S			S	
35. Storage shed and utility building sales/display									S			P	P

⁽¹⁾ See Section 24.1-466(g) for special provisions applicable to developments with 80,000 or more square feet of gross floor area.

USES <small>P=PERMITTED USE S=PERMITTED BY SPECIAL USE PERMIT</small>	RESIDENTIAL DISTRICTS						COMMERCIAL AND INDUSTRIAL DISTRICTS						
	RC	RR	R20	R13	R7	RMF	NB	LB	GB	WC1	EO	IL	IG
	CATEGORY 13 - SHOPPING CENTERS / BUSINESS PARKS ⁽¹⁾												
1. Neighborhood Shopping Center							P	P	P		P		
2. Community or Regional Shopping Center									P		P		
3. Specialty Shopping Center								S	P		P		
4. Office Park								P	P		P	P	P
5. Industrial Park											P	P	P

⁽¹⁾ See Section 24.1-481(a)(3) for special provisions applicable to shopping centers with 80,000 or more square feet of gross floor area.

DIVISION 9. COMMERCIAL AND RETAIL USES (CATEGORY 10)

Sec. 24.1-466. Standards for all commercial and retail uses.

- All off-street parking and loading space for all commercial and retail uses shall be located not less than twenty-five feet (25') [7.5m] from any residential property line and shall be effectively screened from view from adjacent residential properties by landscaping, supplemented, as necessary, with appropriate fencing materials.
- When located in or adjacent to a residential area, the external appearance and arrangement of such facility shall be of a form, character, appearance and arrangement fully compatible with the residential area.
- Outdoor lighting shall be sufficient to protect public safety; however, it shall be directed away from property lines and rights-of-way and shall not cast unreasonable or objectionable glare on adjacent properties and streets.
- Outdoor speaker or paging systems shall be directed away from property lines and shall not be audible on adjacent properties or rights-of-way.
- Appropriate and adequate facilities for accommodating bicycle parking and other alternative transportation modes shall be provided which are safe, secure, and convenient.

- (f) The minimum setback for structures such as fuel dispensing pumps, pump islands, canopies, customer service kiosks, and similar uses shall be forty feet (40') [12m] unless the district in which the use is located allows a lesser setback for the principal structure.
- (g) For retail uses otherwise permitted as a matter of right under the provisions of Section 24.1-306, a special use permit shall be required for any proposed development having 80,000 or more square feet of gross floor area. Any redevelopment involving an addition, expansion, renovation, enlargement, or other modification of an existing development that would increase the gross floor area to 80,000 or more square feet shall be subject to the standards and procedures applicable to amendment of special use permits set forth in Section 24.1-115(d) of this chapter.

DIVISION 12. SHOPPING CENTER AND BUSINESS PARKS (CATEGORY 13)

Sec. 24.1-481. Standards for shopping centers.

Shopping centers shall comply with the following performance standards:

- (a) *Area requirements.* The minimum area required for the development of the various types of shopping centers, as defined in section 24.1-104, shall be as follows:
- (1) Neighborhood Center - forty thousand (40,000) square feet [1200m²]
 - (2) Community and Specialty Centers - three (3) acres [1.5ha]
 - (3) For shopping centers otherwise permitted as a matter of right under the provisions of Section 24.1-306, a special use permit shall be required for any proposed development having 80,000 or more square feet of gross floor area. Any redevelopment involving an addition, expansion, renovation, enlargement, or other modification of an existing development that would increase the gross floor area to 80,000 or more square feet shall be subject to the standards and procedures applicable to amendment of special use permits set forth in Section 24.1-115(d) of this chapter.
